REMARKS

Claims 1-22 are pending in this application. By this Amendment, claims 1, 13 and 22 are amended. Support for the amendments to claims 1, 13 and 22 may be found at least at paragraphs [0025], and [0027] and [0030]. No new matter is added by the above amendment. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Interview Summary

Applicants appreciates the courtesies shown to Applicants' representatives by Examiner Washington in the September 4, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Applicants' representatives ensured that the Examiner understood the presently claimed invention and explained to the Examiner the deficiencies in the applied references. In particular, Examiner Washington agreed to consider the following arguments and contact the Applicant's representatives should he have any questions, comments or concerns regarding this application. Furthermore, the Examiner was invited to contact the Applicant's representatives should he and/or his supervisors believe anything further is needed to place the application in condition for allowance.

II. Claim Rejections under 35 U.S.C. § 103

The Office Action rejects claims 1, 2, 5-8, 11, 13, 14, 17, 18 and 22 under 35 U.S.C. §103(a) over U.S. Patent No. 5,119,471 (Kagaya) in view of "well known prior art"; rejects claims 3 and 15 under 35 U.S.C. §103(a) over Kagaya in view of U.S. Patent Application Publication No. 2004/0205146 (Kimura), and further in view of "well known prior art"; rejects claims 4 and 16 under 35 U.S.C. §103(a) over Kagaya in view of "well known prior art" and Kimura, and further in view of U.S. Patent No. 6,417,014 (Lam); rejects claims 9 and

21 under 35 U.S.C. §103(a) over Kagaya in view of "well known prior art", and further in view of U.S. Patent No. 6,112,250 (Appelman); rejects claims 10 and 19 under 35 U.S.C. §103(a) over Kagaya in view of "well known prior art", and further in view of U.S. Patent No. 7,102,792 (Eschbach); rejects claim 11 under 35 U.S.C. §103(a) over U.S. Patent Kagaya in view of "well known prior art", and further in view of The Kleper Report on Digital Publishing, Issue 5.4, July/August 2000 (Kleper); and rejects claims 12 and 20 under 35 U.S.C. §103(a) over Kagaya in view of "well known prior art" and Eschbach, and further in view of U.S. Patent Application Publication No. 2003/0028503 (Giuffrida). These rejections are respectfully traversed.

Independent claim 1 recites, in part, "a controller that determines whether sufficient idle time exists after the electronic data is stored in the memory, and controls the alteration circuit to alter the electronic data when the controller determines that sufficient idle time exists" (emphasis added).

Similarly, independent claim 13 recites, in part, "controlling the electronic data by determining whether sufficient idle time exists after the electronic data is stored" (emphasis added).

Further, independent claim 22 recites, in part, "controlling the electronic data using the controller to determine whether a predetermined amount of idle time exists after the electronic data is stored" (emphasis added).

As discussed in the September 4, 2007 personal interview, Kagaya fails to teach, disclose or suggest the determination of whether sufficient idle time exists. Rather, Kagaya merely teaches utilizing the time period during which the clock cycle is 'low', as illustrated in Fig. 6B of Kagaya. Specifically, Kagaya discloses that during the time period referenced as a_x, further processing may be performed. Thus, Kagaya does not determine whether idle time

exists, because it simply relies on the clock being low as an indication to perform further processing.

With regards to claim 3, the Office Action asserts that the combination of Kagaya and Kimura teaches "the idle time being a duration of time that the electronic data remains in the memory without being processed, and the controller using a predetermined value to determine whether the idle time exists when the electronic data is stored in the memory."

Specifically, the Office Action asserts that "Kimura teaches, in the same field of endeavor of information processing utilizing idle capacity, the controller using a predetermined value to determine whether the idle time exists when the electronic data is stored in memory." (See the Office Action, page 9, paragraph 3). The Office Action further references paragraphs [0113] and [0114] of Kimura as providing support for such a disclosure.

However, paragraphs [0113] and [0114] recite "When a request for access to the PC-side HDD 603 (for example, a data writing) occurs, the CPU 601a sets "Yes" as a result of the decision made at step SC1. At step SC2, the CPU 601a checks idle capacity data in the PC-side HDD 603 that is stored in a memory (not shown) in advance, and **decides whether the idle capacity is in shortage**. When the PC-side HDD 603 has sufficient idle capacity (equal to or more than a threshold value), the CPU 601a sets "No" as a result of the decision made at step SC2. At step SC5, the pseudo IDE driver 601d switches the allocation destination of the access from the CPU 601a to the standard IDE driver 601c" (emphasis added).

Applicants respectfully disagree with the Office Action's assertions. In particular, Applicants submit that Kimura teaches determinations made with regards to idle capacity **not** idle time. Further, Applicants submit that it would not be obvious to make a determination of whether idle time exists based on the teachings of Kimura. At the personal interview, the

Examiner agreed to reconsider this rejection in view of Kimura relating to idle capacity rather than idle time. Applicants further note that the rejection of claim 15 suffers from the same deficiencies.

With regards to claim 5, the Office Asserts that the applied references teach a second processor that is controlled by the controller to process the electronic data prior to the electronic data being stored in the memory. In fact, the Office Action asserts that the "computer implemented method suggests another set of software instructions as the second processor, to carry out processing of electronic data prior to data being stored."

Applicants respectfully disagree with the assertion that the applied references teach, disclose or suggest a second processor that is controlled by the controller to process the electronic data prior to the electronic data being stored in the memory.

Therefore, Kagaya, Kimura, Lam, Appelman, Eschbach and Kleper, in any combination, do not teach, disclose or suggest "determines whether sufficient idle time exists after the electronic data is stored." Therefore, Kagaya, Kimura, Lam, Appelman, Eschbach and Kleper, either individually or in combination, do not teach, disclose or suggest the subject matter recited in claims 1, 13 and 22.

Claims 2-12 and 14-21 variously depend from claims 1 and 23. Because the applied references, in any combination, fail to render the subject matter of independent claims 1 and 23 obvious, dependent claims 2-12 and 14-21 are patentable for at least the reasons that claims 1 and 23 are patentable, as well as for the additional features they recite.

Accordingly, withdrawal of the rejections is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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